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**OFFICE OF PETITIONS**

**KNOBLE, YOSHIDA & DUNLEAVY  
EIGHT PEEN CENTER  
SUITE 1350, 1628 JOHN KENNEDY BLVD.  
PHILADELPHIA PA 19103**

In re Application of	:
Johan R. De Faire et al	:
Application No. 09/549,642	: DECISION ON PETITION
Filed: April 14, 2000	: UNDER 37 CFR 1.182
Attorney Docket No. ARC-1001USDIV1	:

This is a decision on the renewed petition under 37 CFR 1.182, filed May 11, 2007, requesting entry of an amendment to the specification to insert a reference to an earlier-filed application pursuant to the provisions of 35 U.S.C. §§ 120 and 365(c) for the benefit of priority to the prior-filed nonprovisional applications set forth in the amendment filed with the petition.

The petition is **GRANTED**.

The above-noted abandoned application failed to make a specific reference to the prior-filed applications; namely, 08/338,501, filed November 22, 1994 and PCT Application No. PCT/SE93/00455, filed May 21, 1993, prior to abandonment. Petitioner now requests that the abandoned application be amended by inserting a reference to the earlier-filed applications. The petition is accompanied by an amendment to include a reference to the prior-filed applications in the first line of the specification following the title of the invention.

35 U.S.C. § 120 permits entry of a subsequent amendment to an abandoned application in applications filed prior to November 29, 2000 to include the benefit of an earlier filing date for purposes other than prosecution. See Sampson v. Commissioner of Patents and Trademarks, 195 USPQ 136 (DC DC 1976).

In view thereof, the request for entry of an amendment to insert a reference to the above-noted, earlier-filed applications is granted.

**Petitioner should be aware that the filing date of Application No. PCT/SE93/00455 lists the filing date as May 21, 2003 instead of 1993 in the petition submitted on May 11, 2007. Petitioner is encouraged to submit a supplement amendment to correct this error.**

A corrected Filing Receipt, which includes the priority claim to the prior-filed applications, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3208.

A handwritten signature in black ink that reads "Karen Creasy". The signature is written in a cursive, flowing style.

Karen Creasy  
Petitions Examiner  
Office of Petitions

**ATTACHMENT:** Corrected Filing Receipt



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
09/549,642	04/14/2000	1648	410	ARC-1001USDIV1	1	1

CONFIRMATION NO. 9183

## CORRECTED FILING RECEIPT



OC000000026623767

21302  
KNOBLE, YOSHIDA & DUNLEAVY  
EIGHT PENN CENTER  
SUITE 1350, 1628 JOHN F KENNEDY BLVD  
PHILADELPHIA, PA 19103

Date Mailed: 11/06/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

### Applicant(s)

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John Kay, Radyr, UNITED KINGDOM;  
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**Power of Attorney:** The patent practitioners associated with Customer Number 21302

### Domestic Priority data as claimed by applicant

This application is a DIV of 09/303,375 04/30/1999 ABN  
which is a CIP of 08/600,273 02/08/1996 PAT 5,958,406  
which is a CIP of 08/486,820 06/07/1995 PAT 6,030,612  
which is a CIP of 08/385,540 02/08/1995 PAT 5,945,102  
which is a CIP of 08/338,501 11/22/1994 ABN  
which is a CON of PCT/SE93/00455 05/21/1993

### Foreign Applications

SWEDEN 9201628-6 05/22/1992

### If Required, Foreign Filing License Granted: 06/28/2000

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 09/549,642**

**Projected Publication Date:** None, application is not eligible for pre-grant publication

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Removing Dental Plaque with Krill Enzymes

**Preliminary Class**

536

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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